REMARKS/ARGUMENT

Applicants hereby elect **with traverse** claim group (I) directed to apparatus claims 1-10.

The Examiner asserts that the claim groups (I) and (II) are related as process of making a product and product made, under M.P.E.P.806.05(f). However, Applicants respectfully note that claim groups (I) and (II) are related as Process and Apparatus for its practice under M.P.E.P.806.05(e), not Process of Making and Product Made under M.P.E.P.806.05(f). Independent claim 1 clearly recites "[a]n apparatus for thin die detachment" (i.e., an apparatus for performing the process of die detachment) and method claim 11 clearly recites "[a] method of detaching a thin die" (i.e., a method for die detachment). It is clear that claim 1 recites an apparatus for performing a process, not a semiconductor product, as asserted by the Examiner.

Under M.P.E.P. § 806.05(e), a process and apparatus for its practice can be shown to be distinct inventions, if a) the process as claimed can be practiced by another materially different apparatus or by hand; or b) if the apparatus as claimed can be used to practice another materially different process. Unlike M.P.E.P. § 806.05(f), M.P.E.P. § 806.05(e) requires that the Examiner not only provide reasonable examples that recite material differences, but also to ***document*** such reasonable examples (i.e., to demonstrate that such examples actually exist and are in practice). Likewise, if Applicants provide convincing arguments that there is no material difference, the burden is on the Examiner to ***document*** another materially different process or apparatus or withdraw the requirement. M.P.E.P. § 806.05(e).

The Examiner asserts that the product as claimed in claim group (I) can be made by another materially different process, such as one in which the pushing against the corners is replaced by blowing. (See Office Action, page 2). As described above, however, the inventions directed to claim group (I) are not products, but rather are apparatuses for performing a process. For this reason alone, the restriction requirement should be withdrawn.

Furthermore, it is respectfully submitted that the processes as claimed in claim group (II) cannot be performed by a materially different apparatus. Independent method claim 11 has been amended herein to make clear that the film is pushed against "using the plurality of ejector pins at the positions substantially at the corners of the die to partially delaminate the die."

Since the method of claim 11 requires that the force exerted on the corners of the die be applied by the pins themselves, an apparatus for performing the process of claim 11 must include pins for exerting such a force, not a mechanism for "blowing," as suggested by the Examiner.

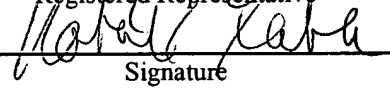
Furthermore, Applicants note that neither the application itself nor the prior art of record discloses any device, mechanism, or apparatus that is operable to detach a die via "blowing," as suggested by the Examiner. Furthermore, Applicants are not aware of any such device. It is believed that a semiconductor die may not be detached using "blowing" because of the high tension film often used to adhere semiconductor die. Accordingly, Applicants request that the Examiner document the existence of such a device as required by M.P.E.P. § 806.05(e). The burden is on the Examiner to document and provide reasonable examples that recite material differences **and** are suitable for their intended purpose. M.P.E.P. § 806.05(e).

Claim 18 has been amended to improve its form without changing its scope.

For at least the foregoing reasons, it is kindly requested that the restriction requirement be withdrawn.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on October 18, 2004:

Robert C. Faber
Name of applicant, assignee or Registered Representative

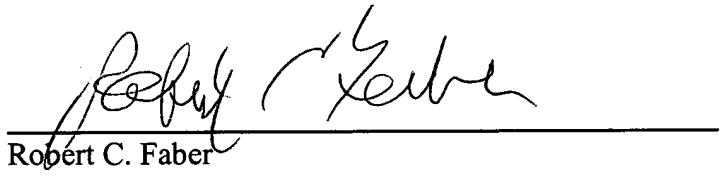


Signature

October 18, 2004
Date of Signature

RCF:BND:bam

Respectfully submitted,



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